

JUL 12 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK  
BY:   
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ROY STEVE DAVIS,	)	
	)	
Plaintiff,	)	Case No. 7:10CV00005
	)	
v.	)	
	)	
	)	<u>FINAL ORDER</u>
	)	
UNITED STATES OF AMERICA,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Defendant.	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that the motion to dismiss (DE 44) is **GRANTED**, pursuant to Fed. R. Civ. P. 12(b)(1), as to plaintiff's claims under the Federal Tort Claims Act; plaintiff's pending motions (DE 46, 48) are **DENIED**; and this civil action is stricken from the active docket of the court.

ENTER: This 12<sup>th</sup> day of July, 2010.

  
\_\_\_\_\_  
Chief United States District Judge